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This document is a transcript of the radio program, "Options in Education," for the week of July 19, 1976. Broadcast by the members of the National Public Radio System, the program is an electronic weekly magazine devoted to the coverage of news, features, policy, and people in the field of education. The issues highlighted in this program revolve around economic and civil liberties concerns of the teaching profession, including discussions of salaries, unions, the right to strike, and the question of collective bargaining. (MB)

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INSTITUTE FOR EDUCATIONAL LEADERSHIP
THE GEORGE WASHINGTON UNIVERSITY

TRANSCRIPT FOR PROGRAM SCHEDULED FOR BROADCAST

THE WEEK OF JULY 19, 1976

Program No. 38

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Options in Education

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OPTIONS IN EDUCATION is an electronic weekly magazine devoted to coverage of news, features, policy & people in the field of education. The program is available for broadcast to the 185 member stations of National Public Radio.

The Executive Producer is John Merrow. The Acting Producer is JoEllyn Rackleff, and the Co-Host is Wendy Blair.

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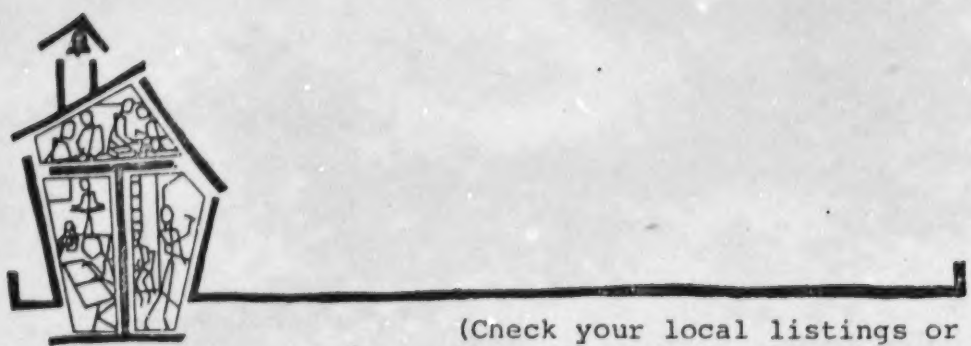

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TEACHER POLITICS

Program No. 38

(OPENING MUSICAL THEME)

BLAIR: I'm Wendy Blair with NPR's OPTIONS IN EDUCATION.

OPTIONS IN EDUCATION is a news magazine about all the issues in education -- from the ABC's of preschool to the alphabet soup of government programs. If you've ever been to school, we have something that will interest you.

MERROW: I'm John Merrow. This edition of OPTIONS IN EDUCATION is about teachers -- what they're paid, and what their rights are.

TEACHER: I think a truly dedicated teacher doesn't think of her job in terms of money.

TEACHER: I started at $900 a year in Akron, Ohio, and I thought I was lucky, because a couple of years before that, they had been paying teachers with script.

TEACHER: I think that when I started here in Washington, teaching was $1400, and that seemed like an enormous amount of money. In fact, I was fairly certain that in about five years I would retire, because I would have so much money.

TEACHER: When I began to teach in 1927, through 1945, there were no raises.

TEACHER: You feel that you should be paid for what you're doing, and I think this is why teachers are right there with the policemen, firemen, and everyone else, feeling that they should have the just rewards for their labors.

MERROW: Those retired teachers shared memories with David Selvin.

(MUSIC -- "Union Song")

BLAIR: Times have changed, and although teachers receive more money now, the issues are broader.

HERNDON: As a teacher and now as a teacher representative, I have always believed you cannot have free men taught by slaves.

BLAIR: Most teachers belong to either the National Education Association or the American Federation of Teachers. Why have teachers unionized?

TEACHER: Nobody knows what it's really like to work with thirty to forty in a classroom with six and seven-year-olds all day till they come and try it. Then, they begin to think maybe you are earning your pay and maybe we do need legislation to cut down class size -- maybe we do need legislation for improved facilities, planning time,

preparation, and more outside materials to use -- this type of thing.

BLAIR: The average salary for an American teacher today is $13,005. A first year teacher averages $8,233. Those salaries are the result of bargaining efforts by teacher unions. The larger of the unions, the NEA, met recently in Miami Beach. John was there and talked with several teachers from Iowa.

IOWA TEACHERS

MERROW: Are you surprised that thus far in the convention you haven't really spent much time talking about pedagogy? It's mostly economics and politics.

TEACHER: No, not at all, because for teachers, I believe, we've finally come to the realization that it comes down to a matter of politics and that most of our educational decisions are political questions that are determined by our state legislatures -- the class size, the amount of staff you'll have in each school, and curriculum -- everything comes down to a matter of money. If we're going to improve education, we've got to do it by getting adequate funding back into the schools, and it's just not going to happen unless we have active political action units.

TEACHER: We, as teachers, by nature, have been very timid and felt that things would be done for us, because education is important in our society. But, this has not been done. We have found that we have to stand up for our rights.

MERROW: Those Iowa teachers at the NEA convention express a growing political sophistication. Two more teachers talk about their concerns with Cathy Lewis of member station WBFO in Buffalo, New York.

BUFFALO, NEW YORK TEACHERS

LEWIS: Would you say that teachers are generally shy in asserting their rights?

TEACHER: Yes.

LEWIS: What would the reason for that be? What's the primary fear?

TEACHER: It seems ridiculous when we have contractual agreements, and we have contract provisions, but it's loss of job - economic reasons.

LEWIS: On tenured teachers -- are they shy?

TEACHER: Yes, tenured teachers are just as shy. They may even have thirty years experience or 25 years -- it doesn't seem to follow suit. You'll find some very militant young teachers, too, who don't have the tenure.

LEWIS: How about self-determination in the classroom? How much room does a teacher have to teach what he or she believes?

TEACHER: Technically, we have the right of academic freedom. But, then again, it depends a great deal upon the administrator's evaluation of what academic freedom is.

TEACHER: Teaching about the power structure in the country, as I see it, and as I've done in my American History classes -- if I was teaching in certain suburban school districts, or perhaps rural school districts, I would not be able to do it. I can think, for instance, of another experience when I was at an elementary school, and a young woman, who was an English teacher, had her class write an essay about what the flag meant, which was an open essay in which they could really put down their feelings, even if they were unpatriotic -- in other words, even if they were critical. And she left the assignment on the board. The following day the sub came in and saw the assignment, saw the student papers and went down to the principal and reported her for this unpatriotic activity. And she was called down to the principal's office when she came in, and she was really given -- well, they did a job on her. They just did a job on her. They really intimidated her to the extent that she came out crying and was very upset.

TEACHER: What has been done in past experience is to use a teacher as an example, and they'll get an awful lot of stuff put on their heads. Therefore, even when other teachers might be in sympathy, they remove themselves because they don't want the trouble. They don't want the pain in the neck. They don't want that principal not to give them things for their kids. So, what is tried very often, is to isolate that teacher.

LEWIS: How often will teachers actually file individual grievances with their union?

TEACHER: Very seldom. Very, very seldom. Many teachers think the grievance is unprofessional. I don't know what that means, because if you're talking about trying to get a better education for your youngsters, to me, this is the most professional thing you could possibly do. But this has been stated -- that teachers don't use this. And they wait for what is considered a class action in terms of the union handling an issue that can be dealt with as an individual. And I found, generally, when there are flagrant violations, in terms of time usage, materials available, participation, and all sorts of resources that should be available to youngsters, the teachers have held back and have not grieved.

MERROW: Teachers in Buffalo, New York, talking with Cathy Lewis of station WBFO.

(MUSIC -- "Union Song")

BLAIR: Unionizing has been difficult for teachers. Marshall Donley, of the NEA, has written a history of teacher organizing in this country.

MARSHALL DONLEY

DONLEY: From the very beginning, back in the 1800's even, when teacher organizations were first organized to any significant extent, this dichotomy existed between serving self and serving schools in the society. The teacher has always and still feels this dichotomy. He or she loves to teach. He wants to be a professional. He sees himself as a professional. He's just tired of getting screwed out of the things that people have been taking away from him for 200 years, because he could be patted on the head, and they'd say, "Well, a professional like you doesn't need -- we'll take care of this, and let the school board make the decision."

MERROW: Who are the teachers?

DONLEY: Well, teachers have always come from a lower class group, than say, lawyers and doctors, and so on, in our society. It has been, at least in the century, especially, a typical job that a lower middle-class family that has not had a college education will send their child to get a two-year degree to begin to teach, and later, a four-year degree. It's a typical one-step-up job for a lower social group. It would be unusual to find John Rockefeller's son opting to become a public school teacher. It would not be at all unusual to go to one of Rockefeller's plants and get twenty people off the line and ask them what they would like for their children, and they would say, "I'd like my kid to get a college education, and teach or something." So, this is the source of the American teacher. This has also been the source of some of the problems.

Teachers, until they became first organized, and then, spurred to even more important organizational efforts, were too modest. They've always downgraded themselves more than they should. They've always taken for granted what people have said to them, that, "You're not worth as much as a salesman." And they've accepted it, or had for years accepted it; and they're tired of accepting it. First of all, they know it's not true. They have everybody in their classrooms. They see these people, and they know that Johnny Jones over here isn't too bright, but his dad's got a good job with such-and-such a company. He's going to go out and sell steel parts, and he's going to be vice president of that company someday and make fifty thousand. They know that this other kid over here has some intellectual ambition, and he's going to go and major in History, and he's going to come out and teach for $15,000 if he's in a good district. And they're aware of these inequities in our society. And the National Education Association and the American Federation of Teachers, and other groups, keep telling teachers about this.

BLAIR: Today, the National Education Association -- NEA -- has 1.8 million members, and the more militant American Federation of Teachers -- AFT -- has only 400,000. Marshall Donley covers relations between the NEA and the AFT, who are bitter rivals, in his book Power to the Teacher.

MERROW: I just finished reading it, Marshall, and it seems to me you could have as easily subtitled it "How the American Federation of Teachers Made the National Education Association Become Militant."

DONLEY: There's a certain amount of truth to that, and as I'm sure you noticed in the book, I identified the New York election, which was in late 1961, as the most single militant act of teachers, kind of a militant turning point for teachers.

MERROW: What happened then? Review that.

DONLEY: New York State had been organized by the New York State Teachers' Association, which was an NEA affiliate. There were NEA members in New York City. New York City was splintered, however, into four or five competing groups -- an old union, the United Federation of Teachers, which was the AFT union, and many other splintered groups. Starting about 1958, what is now UFT began to organize heavily, and there were two elections -- one prior to the crucial election in which teachers in New York City voted whether

they wanted to bargain. And, overwhelmingly, they said, "Yes, we want to bargain," and from then on, it was all down hill for the NEA groups.

MERROW: You make a fascinating point that anything the NEA did the UFT knew about it. For example, someone in the NEA would write a letter, and it would be delivered to the UFT before the addressee even got the thing.

DONLEY: Right -- NEA employees were, to a large degree, professional people, former teachers often. They had never "descended" to the level of a labor organizing thing, and they were not expecting the kind of dirty games that honestly go on in any kind of fiercely competitive situation like that.

MERROW: For years, the NEA -- the National Education Association -- wasn't just teachers. It was school administrators and school principals and, in fact, quite often the president of the National Education Association would be a principal, or a superintendent. Isn't it possible that that's what held the NEA back from arguing for a greater slice of the pie?

DONLEY: Definitely -- there's no doubt about it. And in Power to the Teacher, I devote a whole chapter early in the book to the democratization of the organized teaching profession, in which the classroom teachers started recognizing this. And they started saying, "The principal's a nice guy, but why is he the president of the local association of teachers?" And this became obvious. This has been helped along that line, too, because the AFT, although it does admit administrators, has never been dominated by administrators in its history to any significant degree, whereas the NEA definitely was.

MERROW: When was the break?

DONLEY: It was in the mid-sixties.

MERROW: You say in the book, Marshall, that in 1976 the NEA and the AFT are as far apart as they ever have been. Now, what you're referring to is a merger between the two unions, which was flirted with back in 1973.

DONLEY: It was flirted with over a period of years, from 1965 until about two years ago.

MERROW: Why are they so far apart today?

DONLEY: I guess the answer in one phrase would be "Albert Shanker." Shanker's power, which began as the power base in New York, has expanded to the national presidency. That expansion has been possible only through cooperation of George Meany and the AFL-CIO. Shanker is a member of the Executive Council of the AFL-CIO, a position given, in effect, by Meany. And NEA has made survey after survey which show that the majority of teachers in the United States will not accept membership in the AFL-CIO. What has happened now, ironically, is that the AFT and the AFL-CIO have moved to the right. The NEA, and especially the liberal block with NEA, has moved to the left. And, now, not only do the conservative members of NEA, which are like sixty percent -- and that's a fairly firm figure. I'm not making it up. We have data on that. Those sixty percent who identify themselves as conservative still do not want to "be a union

member" in that sense. In addition, the forty percent who are liberal, or at least half of them who are the active, militant liberal types, perceive themselves as far to the left of George Meany. Meany's position on detente, on neutralism toward Nixon, and so on . . .

MERROW: They don't want to join the union, because the union is too conservative.

DONLEY: Right -- They don't want to go back to the Neanderthal positions on the right that they see there.

MERROW: You said the big reason there was not going to be a merger was Albert Shanker. But, you've been talking about George Meany.

DONLEY: The power of the NEA/AFL-CIO union is dependent on the beneficence of George Meany. Certainly, the kind of pushes that were made in New York ended up to the benefit of the American teacher. The most significant thing American teachers have done in the past ten years has not been strike or fight among themselves. It has been to lobby and get negotiation laws on the books.

MERROW: The right to bargain collectively.

DONLEY: The legal right to bargain collectively.

(MUSIC -- "Are They Going to Make Us Outlaws Again?")

MERROW: The right to bargain collectively -- that's the heart of the matter. And teachers have just suffered a severe setback in their efforts to guarantee federal collective bargaining rights, as we'll hear.

BLAIR: Marshall Donley of the National Education Association said that Albert Shanker, and behind him, George Meany, were the biggest obstacles to a merger of the two teacher unions. Shanker's AFT sees differently. For one thing, it wants public and private sector employees together in one union, but the NEA wants a union of public employees only. And the AFT strongly objects to the NEA's constitutional provision that requires a set quota for minority participation. The NEA constitution requires, for example, that a member of an ethnic or racial minority serve as NEA President at least once every twelve years.

MERROW: However, this running quarrel between the two unions hardly mattered at the NEA annual meeting, where other things were more important.

> SPEAKER: During the fight to strike, which was the longest strike in the history of Massachusetts, 27 of our teachers were jailed. The Association members were fined in excess of $1,500,000. When it became obvious that sending teachers to jail and heavy fines would not end the strike, we were able to return to the bargaining table to negotiate a contract which, I believe, is fair and equitable and which was the result of honest compromise, rather than the dictation of the school committee.

As a part of the contract settlement, our fines were reduced to $276,000. This amount was due and payable on June 18th. In order to raise the funds, the Association, through the efforts of the NEA and FTA, arranged for loans. And we currently owe $163,000.

MERROW: That strike in Massachusetts was one of 203 strikes last year -- a record number. In fact, striking teachers were jailed in Massachusetts, Pennsylvania, Connecticut, and a number of other states. NEA teachers gave a prolonged standing ovation for the striking teachers in New Bedford, Massachusetts, and that was only one of dozens of appeals for money. In hallways outside convention meetings, teachers turned into hawkers to raise cash for their causes.

TEACHER: Get your enjoy button right here -- only a dollar -- to help support the Teachers' Rights Fund in New Jersey. This is the place to get the enjoy button -- enjoy for teachers to get their rights.

MERROW: How many buttons have you sold?

TEACHER: About 550.

MERROW: So, you've raised $550. How much money do you want to raise, and what's the money for?

TEACHER: At least $500,000, and it's for teacher fines in New Jersey.

MERROW: You want to raise $500,000? Not by selling buttons?

TEACHER: Not all together, no. We'll take any contributions we can get.

MERROW: Here's another button stand. You're selling all kinds of buttons -- Teachers Have Class -- Teacher's Pet -- Teachers Have Principles.

TEACHER: And we've had a few slogans suggested to us that would really sell and, unfortunately, we don't have them. Like, Teachers Have Lousy Principles.

MERROW: You'd spell principles differently in that case?

TEACHER: Perhaps, depends on how you'd interpret it.

MERROW: What is the money for?

TEACHER: The money is for a fund for people who work for a governmental agency in Wisconsin that tried to affiliate with the Wisconsin Education Association. And the people were fired from their jobs for trying to unionize, basically.

BLAIR: Another group in Wisconsin, teachers in the town of Hortonville, were the subjects of a major U.S. Supreme Court decision announced during the NEA convention. The court upheld the right of a School Board to fire striking teachers.

MERROW: That decision, and another known as the National League of Cities Case, have important implications for teachers. The National League of Cities Case, in particular, seems to have dashed teachers' hopes that the Congress would pass a federal law giving them the right to collective bargaining.

BLAIR: The National League of Cities had filed suit against the Secretary of Labor to block the Fair Labor Standards Act. The Fair Labor Standards Act sets minimum wages and hours of work and overtime. Recent amendments to the Act include public employees within its jurisdiction, people like firemen and policemen. The League of Cities argued that states should have sole jurisdiction over their own public employees, and in a five to four decision, the Supreme Court agreed.

John spoke to NEA General Counsel Robert Chanin.

ROBERT CHANIN

CHANIN: What the court basically said is any Congressional action which interferes with the ability of the states to make their own policy decisions regarding employer-employee relationships is unconstitutional. The type of statute that we have been urging, which would give teachers the right to strike and binding arbitration of collective bargaining impasses, would seem to intrude too much under the balancing test that the Supreme Court laid down in this case. What that means is not that the NEA is in any sense going to abandon its efforts to secure collective bargaining rights for teachers, but I do believe that we probably will have to shift our focus from the federal level to the state level and seek our legislative guarantees more through State Houses than through Congress.

MERROW: States have collective bargaining legislation which the NEA finds satisfactory?

CHANIN: I don't think there are more than a handful. Pennsylvania has a decent law. Hawaii has a decent law. Michigan has been doing some good things under its law, but everything is relative. If we were to analyze any of those in the abstract, we would say there are great defects in them. But compared to their sister states, those are probably among six or seven or eight which are the best.

MERROW: There are other cases that are going to have an impact on teachers.

CHANIN: A case called the Hortonville Education Association Case, which is the case stemming from the strike of our Association in Hortonville a few years ago -- the issue there is one of procedural due process. After the strike, the teachers were discharged by the same School Board that was the adversary in the collective bargaining that led to the strike. We took the position that a public employer, who in our estimation, precipitated the strike and was party to the entire event, is hardly sufficiently impartial to then sit in judgment on the teachers who were involved.

The Wisconsin Supreme Court agreed with us and overturned the discharge of the teachers involved. Last week, the Supreme Court reversed the Wisconsin court and held that, in the circumstances of that case, the Hortonville Board of Education was able to sit in judgment. I find that very difficult to explain rationally to a layman, but that is, basically, what the Court held.

MERROW: What's its likely impact on teachers regarding their willingness to strike in the fall?

CHANIN: I don't think it should have a significant impact in that regard. I think teachers strike when they're forced to the wall and have no other avenue to express their feelings or their frustrations.

MERROW: So, what's ahead for teachers, then? It sounds as if there are some severe challenges and some real mine fields.

CHANIN: We've been operating for many years in a hostile legal environment. The laws are not in our favor. The court cases have not been in our favor. I think, under the prior Supreme Court, certainly the Warren Court, I think not only teachers, I think all public employees, all people concerned with the protection of civil liberties were making strides. I think that this Court is reversing many of those trends. I think it is most unfortunate.

BLAIR: Robert Chanin, General Counsel of the National Education Association. If teachers were the losers in both those cases, then school boards -- some 16,000 of them across the country -- were the winners. August Steinhilber, Assistant Executive Director of the National School Boards Association, is very happy with the way those cases went.

AUGUST STEINHILBER

STEINHILBER: Some of the decisions were obviously marvelous victories. For example, the whole question of collective bargaining and a federal collective bargaining law for public employees is undoubtedly unconstitutional now.

MERROW: Now, the school boards won a major victory in Hortonville, Wisconsin, in which the Supreme Court essentially upheld the right of school boards to fire striking teachers. What's that going to mean around the country?

STEINHILBER: This case is important in only one respect. And that is, the authority that the state legislature gives to a school board was upheld. We have 45 or 47 states, depending upon your count, wherein the hiring and firing has been placed in the hands of school boards. And it is not the prerogative of the federal government. So, that is the important thing. I don't really see any changes taking place. So, I don't see massive firings of teachers. I don't see any tremendous unrest, no.

MERROW: How do you expect local school boards to interpret this decision?

STEINHILBER: You've asked both a legal and a policy question. The National School Boards Association is asking all school boards to

set up uniform systems of policy determination, so that you have a uniform system as a matter of good personnel policy, that they know what their rights and responsibilities are, and that they are given "due process" of law in the development of school policy. That's the one side we're expecting.

I think a concomitant kind of discussion has taken place, that most boards now realize that the mere fact they have prior knowledge of some facts in the case, doesn't cause them to be biased. And that is very important at the local level. Quite often, up until the Hortonville case, we would advise local boards to -- "If you hear any rumors, throw them out of your mind - don't talk to anybody if you know a case is coming before you - don't listen to your superintendent - stay clear because there's a possibility some court will say you're prejudicial for having the information in advance." But the U.S. Supreme Court in Hortonville said most definitely, that prior knowledge of the facts is not prejudicial. The harder line, if you will, that has taken place in collective bargaining is a harder line, because school boards have become more adept in the art of collective bargaining.

Collective bargaining is a two-way street, meaning management can bring certain things to the bargaining table. And a harder line has also been caused by the fact that there's less public money available. Property tax cannot increase at the same rate. So, there's a harder line, but not caused by these cases. I think that the question is good faith bargaining, and I think there management and labor are going to differ.

MERROW: Do you expect school boards this fall to attempt to bargain back, to win back some of the rights that they've bargained away in earlier contracts, not necessarily bread and butter issues, but policy kinds of questions?

STEINHILBER: I not only expect it. I hope for it and, in fact, one of the things that our Association is doing is running training programs for board members and for their negotiators on how to win back management rights that have been previously negotiated away, and quite frankly, when you have a very severe economy, this is the time to do it, because at this juncture, in management and labor relations, the union, of course, is at a disadvantage.

BLAIR: August Steinhilber, Washington Lobbyist for the National School Boards Association.

MERROW: You know, Wendy, the Hortonville decision doesn't mean that all striking teachers can be fired, just that the Supreme Court sees school boards as protectors of the public interest. So, when boards and teachers do disagree, the board can sit in judgment.

BLAIR: This means that one minute a school board might be the teachers' equal adversary, but if they can't agree and the teachers strike, that same board can be their judge.

MERROW: And, now, the rights that school boards bargained away in the past, and will now try to get back, include decisions about class size and curriculum. And these are the very things teachers think <u>they</u> should help decide.

BLAIR: Take class size: A teacher would say a small class is better for learning, and a board might say, "Yes, but we can't afford it."

MERROW: August Steinhilber of the School Boards Association admits he's worried that some school boards will act "rashly" and actually provoke strikes. Speaker after speaker at the recent NEA Convention condemned the Supreme Court for decisions that NEA leaders said are not in the best interests of public employees, including teachers. The combination of falling enrollments and soaring costs make teachers very worried about school board actions that lead to toughened bargaining positions and, sometimes, staff cuts. During a press conference, NEA Executive Director Terry Herndon said the recent Court decisions will force teachers to strike.

TERRY HERNDON

HERNDON: Increasingly, strikes are the only tool. The laws and the courts are denying us arbitration mechanisms. In many states, they deny us the right to demand that school boards even come to the table and negotiate with us. The laws outlaw the strike. All across the state of Jersey we have school boards that go to court to seek pre-emptive injunctions rather than having them negotiate. They go into court and plead that if they, indeed, don't come to an agreement with their teachers, they might strike. Therefore, they seek an injunction. So long as there is absolutely no alternative but to strike, there will be increasing numbers of strikes. I'm absolutely certain of that.

The employer does not have the right to sit back and believe that in the final analysis the teachers have no option but to accept the school board's proposition or go to jail. I do not believe that government decides whether or not people, including those who work in the public sector, have the right to strike. The right to strike is a fundamental liberty. It is inherent in being. The decision made by government is whether government will protect or repress citizens in the exercise of that right. And it's safe to say that in 45 or 46 of the states, government has chosen to repress.

MERROW: Herndon was asked to assess the effectiveness of the strikes.

HERDON: As a teacher and now as a teacher representative, I have always believed in the old adage that you cannot have free men taught by slaves. I think that many strikes come about when teachers perceive that there are problems that obstruct their ability to teach, and that the short-term school interruption caused by a strike will not have nearly as much of a deleterious effect on the schools, as would allowing those conditions to remain. And I believe a strike results in harmony in the school district, teachers feeling good about themselves and their condition, and teachers believing that they have status, dignity and respect of their employing board and of their administrators. It has a very wholesome effect on the morale of the personnel in the schools, and it's my observation, as one who spent many years in the school, that it has a healthy effect on the instructional process.

Now, we have endeavored to bargain directly on pedagogical issues all over the country -- where teachers have a perception about a need for changing curricula, or teachers perceive a need for them to have more say about materials that are purchased, where teachers believe that they should have more say in the selection of their colleagues, and in the definition of the professional development and in-service training programs that are provided for teachers. But if

there's a pattern across the United States that a school board is saying those matters are not negotiable--and the secondary pattern would be courts and administrative agencies sustaining those kinds of decisions by school boards--as a result of that pattern, there is a limited amount of negotiation on pedagogical questions. As a result, the instructional process, typically, is not on the bargaining table.

MERROW: Last fall there were over 200 teacher strikes. I asked Herndon whether he predicted another number of record strikes this fall.

HERNDON: If I were going to make a prediction at this point, my prediction would be that this fall would be quite similar to last fall, that we will be in the ballpark of 200 again. And I think as school boards around the country persuade themselves that it's a hostile climate for teachers and that they cannot and will not strike, they will behave in such a way as to produce a larger number of strikes.

MERROW: I also asked Herndon whether teacher strikes benefit school boards and school budgets.

HERNDON: I don't think that the strikes in the short term typically benefit anybody. But I suspect there are some school board members who persuade themselves that the salaries saved in the course of a strike are a benefit for the school district. That's extremely myopic thinking. I don't know a school board anywhere that's benefited from a strike.

(MUSIC -- "Are They Going to Make Us Outlaws Again?")

BLAIR: John went back to August Steinhilber of the National School Boards Association for his reaction.

AUGUST STEINHILBER

MERROW: Terry Herndon, who is the director of the National Education Association, predicts there will be more strikes this fall. If you remember, last fall he predicted a record number, and he was right. What do you expect will happen in the fall, Gus?

STEINHILBER: Last year, we had a record number for several reasons. We had new state laws, and regardless of what anybody says about state laws resolving labor disputes, whenever you have a new state law go into effect, immediately everyone has to challenge it. You get everything from those that are just jurisdictional challenges -- meaning both the NEA and AFT call a strike, and for no other reason, they want to find out who is representing that particular unit -- to the fact that they have to prove their muscle. The second reason for this last year was the economy. If you recall, we were in the midst of at least a recession, perhaps a depression, and, therefore, boards had to go to the bargaining table saying, "The cost of living may have gone up eight percent, but we only have three percent, and there's nothing much we can do about it." And they went out on strike, and we had to just sort of say, "Well, thank you, but we have no recourse."

The economy has changed. Whether or not the change has been dramatic or sufficient enough for this fall's bargaining, I

don't know. If I were to guess, I would say about the same number of strikes, maybe even a decrease a little bit.

MERROW: Gus, you're predicting the same number of strikes, or even fewer, and, yet, from your comments, it seems clear that you believe the balance of power is tipping in the direction of school boards and local control, and away from teacher unions.

STEINHILBER: I think, yes, it is tipping towards local control, but I cannot say it's tipping away from unions, because the NEA and the AFT, obviously, have power at the local level.

MERROW: But don't these decisions have the effect of weakening the national unions?

STEINHILBER: Oh, no question about that. I would say that they received a very severe blow in terms of what they can promise, what they can deliver. And in that respect, I think the national unions were injured — no question about it -- by this decision.

BLAIR: August Steinhilber of the National School Boards Association in Washington. Earlier Steinhilber said that school boards are now being trained in bargaining techniques, so they can win back some of the things they bargained away in earlier years. Of course, boards came to the bargaining process unwillingly in the first place. Marshall Donley's book Power to the Teacher describes teachers' struggles to win legal collective bargaining rights -- the very rights that are now threatened.

MARSHALL DONLEY

DONLEY: Right now, there are twenty or so states, and there are a million and a half teachers, roughly, under legal binding agreements that force the school boards to sit down and recognize their rights. That's the most important thing that's happened in teacher militancy in the 200 year history of the whole bit.

MERROW: At one point in your book, Marshall, you imply that what school boards fear is not so much strikes, but it is bargaining itself.

DONLEY: Definitely. At every national meeting of the NSBA -- the National School Boards Association -- which we observe, and we do report on each year, it's ironic, because it isn't really strikes. They don't like strikes, obviously. They disrupt, and so on. But what scares the pants off of them is the fact that the goals of strikes, which simplistically appear to be maybe to get another ten percent raise -- the goals really are more than that. The goals are to get a piece of the power. That's where the action is. It's a piece of the power that the teachers want. It's the right to determine curriculum in some cases, to pick the textbooks, and to have teachers make decisions about who should be qualified and certificated. These are bits of power that the school board members and some administrators see dribbling out of their hands. That's where the panic comes in. They can handle the money bit, but it's more than that. It's real power that's being diffused and changed and separated from them, and this is where the panic lies.

MERROW: Some observers are saying that when collective bargaining becomes a reality, the school boards don't even know what to do. They are no match for the union, whether it's the NEA or AFT people who come in to negotiate.

DONLEY: I wish that were true in every case, but actually there's a growing profession of legal, lawyer-type negotiators. And in many cases now, negotiations take place with skilled people on both sides of the table.

MERROW: You also predict, Marshall, that ultimately, all teachers are going to belong to a union, to either the AFT or the NEA.

DONLEY: That will take about ten years.

MERROW: Does the NEA call itself an association, a professional organization now, or does it admit to being a union? Or does it do both?

DONLEY: It does both. We've toyed with phrases, such as, "More than a Union" -- "A Union of Professionals" -- and somewhere in there is the phrase that probably describes it. Teachers do not consider themselves typical union members. They consider their calling a profession. I think they're right about that, but really it's semantical, and in addition to that, it's not going to matter much very soon. There are now unions of doctors. There are unions of lawyers. There are unions of nurses. Some are called unions, some are called associations, some are called bargaining groups, and so on. Now, airline pilots, who are averaging $35,000 a year, have a union. It doesn't really bother you to be a union member in that company. And I predict that in another twenty years, it will all just be called a "union," and all public employees and teachers will be together in a public employee union that would include policemen, firemen, municipal employees, teachers, and many groups of that type, and the term won't mean anything significant.

MERROW: It's going to be an interesting world. Marshall Donley of the National Education Association, author of a new book Power to the Teacher.

(MUSIC)

BLAIR: It will be an interesting world. With court decisions going against them, teachers are becoming more militant and political. Teachers are a real political force now, even though their well-laid plans to be a major factor at the recent Democratic National Convention didn't really work out, because it wasn't a brokered convention. John talked to some NEA teachers just before the Democrats met.

NEA TEACHERS

TEACHER: We need members in our legislature and in our federal government who are positive toward education, so that we can get the funding that we need. And I'm with the Salary Committee and the Economic Goals, and I know our concern, because we have not had the money that we need to do the things within our programs.

MERROW: One could make an argument that you folks are coming to your political awareness a little late. After all, some recent court decisions have gone against teachers. All of NEA's plans to be a major political force in politics seem to have gone right down the tubes. It doesn't look as if you'll be a factor in the convention.

TEACHER: I think that's not a correct interpretation, because we have many more teachers than ever before involved in the actual political party structure itself. I'm a member of the National Rules Committee, and there are two or three other teachers also involved for the first time in that committee. We have teachers on the Platform Committees and others, as well. And we have about 300 delegates and alternates going to the Democratic National Convention, and I don't think that's any kind of failure. I think it's a tremendous success, and it's a good building ground for four years from now.

TEACHER: I think that the numbers that are going to the political conventions this year are more than it has ever been before, and I think that in itself is starting to make people look and say teachers are beginning to do something. I think it's getting the public to look at what we're doing and some of the issues that we're really concerned about. I think a lot of times teachers are accused of moving into these issues too much and overlooking the classroom, but we have to get these issues first before we can really benefit the children and the material that we have to work with.

MERROW: You have more people going to the convention than you've ever have before. You also have the largest single block, according to John Ryor. Nonetheless, the convention hasn't turned out the way you expected. The idea was that it would be a brokered convention and teachers would have some clout. In fact, one man seems to have the nomination sewn up.

TEACHER: True.

MERROW: Which would suggest that teachers really won't be much of an influence at the convention.

TEACHER: I think, though, it's going to take this year to get us started. I think another four years from now, we'll be better organized, and I think this will be a good learning experience for us. And we'll be all the better prepared four years from now.

TEACHER: As far as teachers being effective, I think they will be effective at the Nationa Convention. There's a vice president to be chosen, and I think there's some cabinet input, and I think the fact that we've worked through the different Rules Committees and the Platform Committee, teachers have had an input on platform. We've had teachers on all National Convention standing committees. And that's where the nitty gritty takes place, not on that convention floor.

MERROW: I think the nitty gritty has already taken place -- that's the problem.

TEACHER: We've been there. Paul and I were on the Rules Committee. We had teachers on the Platform Committee. We have teachers on the Credentials Committee.

MERROW: But do you think Jimmy Carter owes you anything?

TEACHER: Not too much.

MERROW: She showed us her Frank Church button, for those of you out there in television.

BLAIR: Three Iowa teachers on the floor of the NEA Annual Meeting in Miami Beach.

Albert Shanker, President of the more militant American Federation of Teachers, was at the Democratic National Convention, and John spoke to him by telephone shortly after the convention ended.

ALBERT SHANKER

SHANKER: Hello.

MERROW: Hello, Mr. Shanker, how are you this morning?

SHANKER: Okay.

MERROW: Let's talk about Jimmy Carter. That's really the big news -- are you pleased?

SHANKER: Certainly much more pleased now than I was some months ago. Early in the campaign, he did not indicate any major priority in terms of unemployment in the country, in terms of aid to education, and in terms of helping our cities, but in recent months, he has certainly adopted a position which is a very good one on these issues. I think he's going to win, and I'm going to recommend supporting him.

MERROW: Now, let's talk about the changes. Are you saying that, somehow, he's seeing the light about education?

SHANKER: He has from the very beginning generally said that he wants something for education and gives it a high priority, but I am on his Education Task Force, and I am convinced that that Task Force will come forth with a number of proposals that will be very important, and which he will accept.

MERROW: But those task forces, aren't they kind of a pro forma exercise? I mean, do you suppose Jimmy Carter even knows he has an Education Task Force?

SHANKER: Yes, I think he does. Education issues are linked with other issues. One of the ways of solving our problems of education in this country would be to have the federal government take over the welfare mess. I know in most places it would mean hundreds of millions and, in some cases, billions of dollars that the states would have available for educational purposes. The same thing is true with the federal action on some kind of a national health security program.

MERROW: You sense, then, Mr. Shanker, that Jimmy Carter would take actions in areas outside education, but would relieve the pressure on education?

SHANKER: That's the major thrust of it, that's right. And if in addition to that there were some additional funds forthcoming in education, which I believe that there will be -- direct funding -- that, of course, would be a big plus, too.

MERROW: Mr. Shanker, is there a problem with Jimmy Carter and his position on unions and the right-to-work law?

SHANKER: Well, I'm still most disappointed with the fact that he has not come out with a clear cut statement on that, and I hope that he has shifted somewhat. At one time, he was in favor of right-to-

work laws. Now, he says that if a repeal of the right-to-work came to him, he would sign that, which certainly is a shift in a good direction. But I don't think it goes far enough yet, and we hope in the course of the campaign he'll move still further on that issue.

MERROW: Let's talk about the other half of the ticket -- Walter Mondale. I suspect Walter Mondale makes you a lot happier than Jimmy Carter.

SHANKER: Of course, we've had a fine relationship with Fritz Mondale over the years. He has been pressing in fields of the arts and education, especially in child and family services. And we feel that here is somebody that we know what he will be doing, and we feel very comfortable with him.

MERROW: At the convention itself, Mr. Shanker, altogether, the NEA and the AFT had probably over 300 delegates and alternates.

SHANKER: Yes.

MERROW: Did either union play any part at all in the selection of Walter Mondale?

SHANKER: I think both did. So did the AFL-CIO.

MERROW: How?

SHANKER: Well, we were consulted, and they were consulted. And everyone else has been, some of them at convention time, and some of them before, as to just who were the vice presidential contenders that we would feel best about. And Fritz Mondale was on all of those lists. We did quite a bit, and so did the labor movement. And I'm sure the NEA did, too, because when it comes to labor and education issues before the United States Congress, there is not a good deal of difference on issues of this sort.

MERROW: Mr. Shanker, the vice presidency has traditionally not been a very important job, in terms of job responsibilities. Do you expect it to change with Mondale?

SHANKER: Well, a lot of them become president.

MERROW: That is true. The Senate, however, is going to miss Walter Mondale. In some way, might not that be a bigger loss to the Senate?

SHANKER: He's certainly going to be a loss to the Senate, but I'm glad he was picked. And we pressed for him, and he's there now on the ticket. He's going to help the ticket win. He's going to be a great influence in the White House in favor of jobs, employment, education, the arts, and liberal labor legislation. I think it's going to be great.

MERROW: Mr. Shanker, in recent weeks, the Supreme Court has handed down two decisions that seem to have an important impact on teachers. One, of course, is the Hortonville decision regarding a School Board's right to fire striking teachers, and the other the National League of Cities Case, which seems to eliminate the possibility of a federal collective bargaining law. Don't those two decisions kind of put teachers in a bad spot?

SHANKER: Well, they do, but you've got to remember the League of Cities Case was decided by five to four.

MERROW: What does that mean?

SHANKER: It means that the next President of the United States may appoint one or two Supreme Court members, and that it could end up being five to four the other way.

MERROW: Are you saying that you haven't given up hope, then, for a federal collective bargaining bill?

SHANKER: Well, right now, a direct bill would undoubtedly be thrown out by this Court, but there are two ways of getting a collective bargaining bill. One would be to change the composition of the Supreme Court by one vote, and that certainly is possible. After all, this League of Cities Case is a reversal of a previous case, of Wurtz vs. Maryland, where the Court voted six to three in favor of the right of the federal government to enact such laws. So, that's obviously one of those issues that's going to be affected by the composition of the Court.

There's a second way in which the federal government could move toward collective bargaining, and that is, it could be attached to the Federal Aid to Education Bill -- they could deny any money to any state that doesn't meet certain labor standards.

MERROW: Which, in fact, that won't create a national bill, but will make all the states get in line. Is that what you're saying?

SHANKER: Yes, it will say to some state, if you want to get a half a billion dollars or a billion dollars or X number of millions of dollars, you've got to treat your employees in a certain way. They've got a right to determine who represents them, they have a right to sit at a bargaining table, they have the right to have any grievance entered into put into writing, and so forth. That is done in a good many fields where the federal government, in subsistance programs, says if you want this money, you've got to live up to certain standards.

MERROW: The Hortonville Case -- let's talk about that, too. That seems to strengthen the hand of school boards in their negotiations with teachers.

SHANKER: It certainly does, and given the state laws that we have around the country, that decision was not a surprise, because in many of those state laws, a strike is a crime. And that crime is punishable by a whole arsenal of weapons and one of those sanctions that an employer can take is to dismiss. Of course, in most cases, it's not practical for the employer to do that. The teachers who are going to be willing to come in and work under those circumstances aren't going to be the finest educators one could find. As a matter of fact, the chances are that they're very likely to be people who couldn't get jobs anywhere else, because they're not particularly good.

MERROW: I would like your feeling about the impact of that decision on the number of strikes that are likely to occur in the fall.

SHANKER: I don't think it's going to have any impact on that at all. I think that teachers do not like to strike. Strike is the last resort. They don't do it unless they're pushed to the wall, and if they are pushed to the wall, and all other alternatives have been exhausted, I'm sure that if they find it necessary, they're going to have to go out.

MERROW: Albert Shanker, President of the American Federation of Teachers. Thank you very much, Mr. Shanker.

SHANKER: Thank you.

MERROW: Bye.

SHANKER: Bye.

BLAIR: Back to that teacher with the Frank Church button at the NEA convention -- John did a little research into the sorts of buttons teachers were wearing and selling.

MERROW: Not only button selling, but button collecting seems to be a big activity here. This is Joe Mooring of the Texas State Teachers' Association -- how many buttons do you have on right now?

MOORING: Oh, probably in the neighborhood of 35-40. There are none on the back, so I probably could wear 200 if I pinned them on closely.

MERROW: Have you got 200?

MOORING: No, I have somewhere in the neighborhood of six or seven hundred.

MERROW: Let's talk about some of these buttons. There's one here that says "T U I T." Can you tell me what that stands for?

MOORING: Yes, notice the letters are on a round button, and if you've ever decided you'd like to do something in life and you kept putting it off and kept putting it off, and you finally got around to it. Well, this is a round to it. You've got a round TUIT.

MERROW: What's the best selling button? I see you have one on that says "Teachers Make Better Lovers."

TEACHER: That's one of the better selling ones.

MERROW: You have two -- one says "Leave Me Alone - I'm Having a Crisis" and the other says "Bitch Bitch Bitch."

TEACHER: That's true. We had buttons yesterday that I think are very significant, and some of these are fun, and so forth, but I think the one that is very significant said, "If You Think Education is Expensive, Try Ignorance."

(MUSIC)

MERROW: We'll keep on returning to America's teachers. Coming up in the next few weeks OPTIONS IN EDUCATION will present "The Great Debate: Albert Shanker of the American Federation of Teachers Versus Terry Herndon of the National Education Association." And we'll have

another hour about teachers -- all the experiences of being a teacher. Hope you'll be listening.

BLAIR: Material for this week's program came, in part, from Cathy Lewis of member staton WBFO, Buffalo, New York, and reporter David Selvin in Washington, D.C.

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MERROW: We're also doing some audience research. We'd like as many of our listeners as possible to participate -- anonymously, of course. We want to know why you listen and what issues you'd like to hear more about. Write us and we'll send you the questionnaire.

BLAIR: Our address one more time: National Public Radio - Education, Washington, D.C. 20036.

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CHILD: OPTIONS IN EDUCATION is a co-production of the Institute for Educational Leadership at the George Washington University and National Public Radio.

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BLAIR: This program is produced by Jo Ellyn Rackleff. The Executive Producer is John Merrow. For OPTIONS IN EDUCATION, I'm Wendy Blair.

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